

REMARKS

This amendment is offered in response to the Office Action of December 19, 2002.

It is respectfully submitted that this amendment will require neither a new search nor substantial reconsideration.

The Office Action rejected Claims 1-3 under 35 U.S.C. §103(a) as obvious over the Yeager reference (U.S. Patent No. 5,823,933) in view of the Ouchi reference (U.S. Patent No. 6,068,585).

Claim 1 has been amended to clarify to include the step "attaching discrete sections of zipper profile oriented in the machine direction ..." which is quite different from the Yeager reference which discloses the sections of zipper profile attached in the transverse direction.

It is therefore respectfully submitted that Claims 1-3 are patentable over the cited art.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to enter the amendment, to allow the claims, and to pass this application to early issue.

Respectfully submitted,



Gerald Levy
Registration No. 24,419

Ronald E. Brown
Registration No. 32,200

Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017
(212) 297-5800

APPENDIX

In the Specification:

Please amend the second paragraph of page 1 as follows:

Heretofore reclosable plastic bags with gusseted sides have been made from plastic sheet having essentially uniform thickness for the front, rear and side walls including the gusset areas. While such side gusset bags featuring zippers have been produced, they have never provided a bag that could be opened to the full width of the gusset and also be fully closed by the zipper. In copending application Serial No.[] 09/645,825, filed August 25, 2000, entitled GUSSETED ZIPPER BAG, now U.S. Patent No. 6,325,543, a reclosable bag with gusseted sides which overcomes the above mentioned problem is disclosed. This bag makes use of a carrier web bearing discrete sections of zipper profile.

In the Claims:

Please amend Claim 1 as follows:

1. (Amended) A method of forming a zipper bearing carrier web comprising the steps of:
advancing a first continuous strip of carrier web in a machine direction; and
attaching discrete sections of zipper profile oriented in the machine direction at predetermined spaced intervals to said first continuous strip of carrier web to form a supply of carrier web with pre-positioned sections of zipper profile.